

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ANTHONY PORTER,

Plaintiff,

v.

DALIA SULIENE,

Defendant.

ORDER

09-cv-38-slc

In this case, plaintiff Anthony Porter has been granted leave to proceed *in forma pauperis* on his claims against defendant Dalia Suliene for alleged violations of his Eighth Amendment rights and his rights under Wis. Stat. § 448.30. Defendant has filed an answer to plaintiff's complaint and a preliminary pretrial conference was held on May 6, 2009. Now before the court is a letter from plaintiff that I construe as a motion for a court order directing the health services unit at the Columbia Correctional Institution to provide plaintiff with free copies of his medical records. The motion must be denied.

Plaintiff appears to believe that he is entitled to free copies of his medical file because he cannot afford to pay for them and cannot obtain a legal loan to pay for the copies. However, at the May 6, 2009 pretrial conference and in the subsequent scheduling order, I gave plaintiff detailed instruction on the Federal Rules of Civil Procedure that explain how a litigant may gather evidence during a federal lawsuit. Specifically, I told plaintiff that "Rule 34 allows you to ask the defendant to show you documents that are relevant to this lawsuit, but it does not require the defendants to make free photocopies of these documents for you." Because plaintiff is not entitled to receive free copies of his medical records, his motion will be denied.

A word of caution to plaintiff is in order. I note that his current motion is not signed as required by Fed. R. Civ. P. 11(a). In the future, if plaintiff fails to sign his submissions in this case, they will be placed in the court file and given no consideration.

ORDER

IT IS ORDERED that plaintiff's motion for a court order directing the health services unit at the Columbia Correctional Institution to provide him with free copies of his medical records, dkt. #32, is DENIED.

Entered this 9th day of June, 2009.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge